

CHAMBERS

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

City of Ann Arbor Employees' Retirement System, on
 Behalf of Itself and All Others Similarly Situated

Plaintiff

v.

Accuray Incorporated, Euan S. Thomson, Robert E. McNamara,
 Wade B. Hampton, Ted Tu, Wayne Wu, John R. Adler, Jr., and
 Robert S. Weiss

Defendant

Civil Action No.

33 62**CW****SUMMONS IN A CIVIL ACTION**To: *(Defendant's name and address)* See attached list.

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Shawn A. Williams
 Coughlin Stoia Geller Rudman & Robbins LLP
 100 Pine Street, Suite 2600
 San Francisco, CA 94111

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RICHARD W. WIEKING

CLERK OF COURT

MARY ANN BUCKLEY

Date: Jul 22 2009_____
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 02/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

ATTACHMENT TO SUMMONS

Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Euan S. Thomson
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Robert E. McNamara
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Wade B. Hampton
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Ted Tu
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Wayne Wu
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

John R. Adler, Jr.
c/o Accuray Incorporated
1310 Chesapeake Terrace
Sunnyvale, CA 94089

Robert S. Weiss
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